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U.S. Department of Transportation,
Docket Management
Room PL-401, 400 Seventh Street,
SW, Washington, DC 20590
U.S.A.

1 February, 2002

Dear Sirs,

After consideration to:

Docket No. NHTSA 2001-11041; Notice 1

**Toyota Motor Corporation; Receipt of Application for Decision of
Inconsequential Noncompliance**

**Federal Motor Vehicle Safety Standard No. 108; Lamps, Reflective
Devices, and Associated Equipment**

we hereby present our comment to your invitation based on our technological experience

**WE SUPPORT TOYOTA'S POSITION AND BELIEVE THAT THE NONCOMPLIANCE IN
THE SUBJECT VEHICLES IS INCONSEQUENTIAL TO MOTOR VEHICLE SAFETY.**

Reason

KOITO believe the technical justification provided by Toyota Motor Corporation in the Docket No. NHTSA 2001-11041 Notice 1 duly substantiates the inconsequentiality of the noncompliance to motor vehicle safety. Also, following is our particular concerns on this issue:

- Current requirement of spacing/maximum intensity as provided in S5.5.11(a) FMVSS 108 in relation to DRL and front turn signal lamp bears substantially two points which are contradictory and controversial in terms of motor vehicle safety.
- 1) When the front turn signal lamp is located less than 100mm from the lighted edge of a DRL, CMVSS108 (63) requires:
the DRL to have 2600cd or less intensity, or
the front turn signal lamp to have luminous intensity multiplied by 2.5,
while FMVSS108 S5.5.11 (4)(i) requires the above two conditions to be met concurrently. The difference generates some controversial difficulties in designing a DRL for US and Canadian market because a design could be a violation of low while it is fully supported by the requirement of the other country.
 - 2) In S5.5.11(4)(iii), FMVSS108 does not require any limitation of luminous intensity when a DRL is optically combined with a lower beam headlamp, provided that a turn signal located within 100mm to the DRL has higher luminous intensity multiplied by 2.5. However, there are many examples of lower beam headlamps that has 2600cd or higher luminous intensity because FMVSS108 fig.15 allows a lower beam headlamp to have up to 5000cd at HV and other figures (fig. 17, 27 and 28) does not have any maximum requirement.

As said above, current wording of FMVSS108 does not fully explain its technical legitimacy.
Also, because Toyota successfully explained the safety and inconsequentiality of the noncompliance ,
KOITO hereby support the validity of the petition, and believe the exemption should be granted.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'T. Kumura', is positioned above the printed name.

Takeshi Kumura, General Manager
Technical Administration Division
KOITO MANUFACTURING CO., LTD.